

## REMARKS

In the Final Office Action of June 7, 2005, the various comments made by the Examiner in the section entitled "Response to Arguments" in every case basically set aside Applicant's arguments with a comment to the effect that "the features upon which applicant relies are not recited in the rejected claims".

Although Applicant disagrees that those features were not in fact found in the prior claims, it is of course a question of language interpretation. To avoid this problem, Applicant has amended each of the rejected claims to specifically insert the language which the Examiner has suggested is "not recited".

Thus in claim 88 it is now recited that "said grinder, said juice pH monitoring and adjustment system, said heater and said centrifuge being connected together for continuous processing of said bio-matter". It is respectfully submitted that this does not present any new issues, because the language which was already present requires that these elements be connected together for continuous processing. The previous language has already specified that the juice pH monitoring and adjustment system is "located downstream of the grinder to receive the juice from the grinder" and thus those two must be connected. The heater is already defined as being "located downstream of the juice pH monitoring and adjustment system to receive pH adjusted juice" and thus those two elements are already connected together. The centrifuge was already defined as being "located downstream of the heater to receive heated pH adjusted juice" and thus those two components were already connected together. Nevertheless, in order to clarify the matter Applicant

has added this new language. It is respectfully submitted that claim 88 is now allowable over the cited references for all the reasons previously presented. Primarily, the Osawa reference merely describes a small scale batch process, and does not disclose or suggest any type of continuous process which would be capable of being computer controlled.

With regard to claim 92 that language has now been amended to require each cutter “including blades to cut leafy material”. Again, it is not believed that this raises any new issue. As noted previously, the Takaoka reference does not disclose cutters including blades, but instead discloses a pulverizer which grinds material between two mortars.

Finally, claim 93 has been amended to further define the flexible length piping apparatus as “including a pipe capable of having fluid flowing therethrough”. Again, it is submitted that this does not raise a new issue, as the term “piping” as it is commonly used should be interpreted as “a pipe capable of having fluid flowing therethrough”. Nevertheless, this clarifying language has been added to further distinguish the Oktay reference which does not disclose pipes in the conventional sense at all. As previously discussed Oktay deals with a “heat pipe” which is a heat transfer apparatus used to cool electronic components and which does not involve a pipe in the conventional sense of a hollow member through which fluid can flow.

Additionally, claims 89-91 which the Examiner has indicated as including allowable subject matter have now been rewritten in independent form.

### **Conclusion**

In summary, it is believed that the arguments and amendments set forth above are sound, and accordingly entry of this amendment along with an early indication of the allowance of claims 88, 92 and 93 in addition to claims 89-91 previously indicated as allowable, is respectfully requested.

### **Request for Extension of Time**

Applicant requests a retroactive one month extension of time within which to respond. Applicant's check in the amount of \$60.00 is enclosed. Any further charges or credits due in connection with this response may be charged to Deposit Account No. 23-0035.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Lucian Beavers', with a horizontal line underneath.

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Please address all correspondence in this matter to:

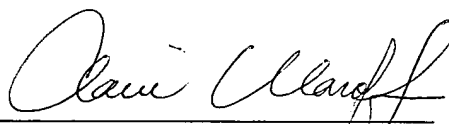
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**CERTIFICATE OF FIRST CLASS MAILING**

I hereby certify that this Rule 116 Amendment, Request for Extension of Time and check for \$60.00 are being deposited with the United States Postal Service as first class mail in an envelope addressed to:

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\_\_\_\_\_  
Claire Ulanoff

9-21-05  
Date